Government of Saskatchewan

Annual Report
1983

Saskatchewan Public and Private Rights Board

84- 2971 /

ANNUAL REPORT - 1983

PUBLIC AND PRIVATE RIGHTS BOARD

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Saskatchewan

Saskatchewan
Public and Private
Rights Board

(Expropriation Procedure
Act, 1968)

2nd Floor, 4211 Albert St.
Regina, Canada
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(306) 565-4071

January 16, 1984

Honourable Grant Devine,
President of the Executive Council.

Dear Mr. Premier:

As per Section 6 (3) of the Expropriation Procedure Act I have the honour to submit to you the Annual Report of the Public and Private Rights Board for the period January 1, 1983 to December 31, 1983.

Respectfully submitted,

Myron A. Kuziak
Chairman

MAK/mw

The Public and Private Rights Board staff as at December 31, 1983:

Mr. Myron A. Kuziak, Chairman

Mr. Glen T. Hamilton, Director

Mrs. Marion Windrum, Secretary

REPORT ON ACTIVITIES

In 1983 the Public and Private Rights Board received eleven (11) requests from landowners to review matters relating to expropriation or intentions by expropriating authorities to acquire land. Of this total three (3) were requests to review the route, situation or design of a public improvement, or proposed public improvement as per Section (7) of the Expropriation Procedure Act, and eight (8) were requests to review the amount of compensation offered as per Section Eight (8) of the Expropriation Procedure Act.

During 1983 the Public and Private Rights Board concluded negotiations on one (1) request to review the amount of compensation offered which was received by the Board in 1981 and on six (6) requests to review the amount of compensation offered which were received by the Board during 1982. During 1983 the Board also concluded negotiations on one (1) request to review the route, situation or design of a proposed public improvement which was received by the Board in 1981 and on one (1) request which was received by the Board in 1982.

Ten of the eleven investigations made by the Public and Private Rights Board during 1983 resulted in negotiations with their respective expropriating authorities. The one request for review investigated but not negotiated occured because before negotiations began as to the route of the proposed public improvement , the expropriating authority changed its route so as not to affect the requester's land.

One of the cases received during 1983 involving the amount of compensation offered for expropriated lands was negotiated to a conclusion.

The dispositions of negotiations concluded by the Board during 1983 are outlined below.

The one (1) compensation case from 1981 was closed without the payment of any further compensation and no further actions were undertaken by the landowner. The one route, situation or design negotiation case received by the Board in 1981 and concluded in 1983 resulted in a change to the original proposed route to the satisfaction of the landowner.

The six compensation negotiations from 1982 concluded in 1983 were resolved by agreements between the expropriated landowner and the expropriating authority wherein the expropriated landowner was given additional compensation to that offered by the Formal Offer of Compensation.

The one case of negotiation of route, situation or design from 1982 concluded in 1983 resulted in no change to the public improvement but did result in an agreement providing additional monetary compensation for disturbance damages.

The one compensation case negotiation which was opened and concluded in 1983 resulted in a signed agreement between the expropriating authority and the expropriated landowner providing an amount of compensation larger than that offered in the Formal Offer of Compensation.

The unresolved cases as at December 31, 1983 for which negotiations will continue in 1984 were: one compensation case received by the Board in 1981; five compensation cases received by the Board during 1982; thirty-two route, situation or design cases received by the Board during 1982; one route, situation or design case received by the Board during 1983; and six compensation cases received by the Board during 1983.

The unresolved compensation case from 1981 involves a claim for damages which will be assessed this year. The five unresolved compensation cases from 1982 will probably all be resolved during the first half of 1984. Of the thirty-two unresolved route, situation or design cases received by the Board during 1982, thirty-one are from landowners potentially affected by works being considered by the Hunter Creek Conservation and Development Area Authority. No final decision as to route or design has been made and our Board continues to mediate specific concerns and issues where and when appropriate. The other unresolved route, situation or design case from 1982 involves the possible effects to a scientific facility if one of a number of corridors for the proposed North Battleford to Cotteau Creek electrical transmission line is chosen. Decisions as to the corridor and if necessary, mitigation measures required, should be resolved early in 1984. We expect also to resolve all of the unresolved cases received by the Board in 1983 during 1984.

The Public and Private Rights Board continued to enjoy the co-operation of all expropriating authorities in the Board's investigations and in the Board's negotiations.

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PUBLIC AND PRIVATE RIGHTS BOARD

SECTION 6 - 3, EXPROPRIATION PROCEDURE ACT

TABLE 1

(A)	Number of investigations made by the Board		11
	Nature of each:		
	Route, situation or design	3	
	Compensation	8	
(B)	Number of claims negotiated by the Board		10
	Nature of each:		
	Route, situation or design	2	
	Compensation	8	

(c) We do not suggest any amendments to any Acts relating to the expropriation of land at this time.

TABLE 2

Number of Reviews by the Board by

Expropriating Authority Involved, 1983

Expropriating Authority	Route, Situation or design	Compensation	Total
Saskatchewan Power Corporation	0	1	1
Saskatchewan Telecommunications	3	8	11

TABLE 3

Number of investigations made by the Board 1973 - 1983.

Year	Route, Situation or design	Compensation	Miscellaneous	Total
1973	7	25		32
1974	33	24	5	62
1975	23	12	5	40
1976	13	18		31
1977	20	30	7	57
1978	11	12	3	26
1979	3	15	4	22
1980	4	9	3	16
1981	53	55		108
1982	38	58		96
1983	3	8		11

TABLE 4

Number of claims negotiated by the Board 1973 - 1983.

Year	Route, situation or design	Compensation	Total
1973	7	25	32
1974	33	24	57
1975	23	12	35
1976	9	18	27
1977	20	30	50
1978	11	12	23
1979	3	15	18
1980	4	9	13
1981	51	51	102
1982	38	58	96
1983	2	8	10

TABLE 5

Number of Reviews by the Board by
Expropriating Authority Involved, 1973 - 1983

Year	Dept. of Highways	Sask. Power	Sask. Tel	Dept. of Agriculture	Government Services	Dept. of Tourism	Misc.
1973	17	5	3	1			2
1974	18	25	12	2			5
1975	20	4	2	9			5
1976	12	3	4	3			9
1977	3	13	13	5	16		7
1978	4	1	5	2	5	1	3
1979	9	1	3	3	1		4
1980	5	2	1	1			3
1981	11	80	4	7			6
1982	2	53	3	33			
1983		1	11				